

RICHARD H. WILDE.

PETITION

OF

RICHARD H. WILDE.

DECEMBER 17, 1827.

Referred to the Committee on the Judiciary.

DECEMBER 20, 1827.

Bill reported, No. 17.

JANUARY 14, 1828.

Printed by order of the House of Representatives

WASHINGTON :

PRINTED BY GALES & SEATON.

1828.

RICHARD H. WILDE

U. S. SENATOR

PETITION

For the purpose of amending the National Labor Relations Act, to read as follows:

That the National Labor Relations Board be authorized to issue orders to any employer who is found to be in violation of the National Labor Relations Act, to require the employer to hire back any employee who has been discharged for reasons which are not in accordance with the provisions of the National Labor Relations Act.

RICHARD H. WILDE

And the committee on Education and Labor of the Senate, to which the petition was referred, report that the petition is in accordance with the provisions of the National Labor Relations Act, and that the National Labor Relations Board should be authorized to issue orders to any employer who is found to be in violation of the National Labor Relations Act, to require the employer to hire back any employee who has been discharged for reasons which are not in accordance with the provisions of the National Labor Relations Act.

PETITION.

To the Honorable the Senate and House of Representatives of the United States in Congress assembled:

The petition of Richard H. Wilde humbly sheweth:

That a vessel called the *Antelope*, or *General Ramirez*, together with a number of Africans on board, were captured by a Revenue officer of the United States, and brought into the port of Savannah for adjudication. The vessel and cargo being libelled, were claimed in behalf of Spanish and Portuguese owners by the Consuls of their respective nations, and such proceedings had, that a large number of Africans were ultimately adjudged to the United States, to be disposed of according to law, as may be seen by the record of the case in the Supreme Court remaining, and the report thereof in the 10th, 11th, and 12th volumes of Wheaton's Reports.

But it also appears thereby, that thirty-nine of the Africans, therein mentioned, were finally decreed to be slaves, the property of the Spanish claimants, piratically taken from them on the high seas, by a pretended South American privateer, and, as such, ordered to be restored to them, they paying salvage to Capt. Jackson, of fifty dollars per head, the charges of the Marshal for the maintenance, clothing, safe-keeping, &c., of the Africans, amounting to six thousand three hundred and forty-seven dollars, the costs of court and bills of proctors amounting to ———, and, moreover, giving bond with security, to export the said negroes out of the United States.

That the said Africans having been in the State of Georgia under the charge of the Marshal of that District, by order of the United States' Circuit Court, for more than eight years, have formed connexions by marriage, and many of them have children, from whom, if sent out of the country, they must be separated, as their wives and children are the property of other persons than the Spanish claimants.

That in November, 1827, an agent from the Spanish owners, Cuesta, Manzanal & Brother, arrived in Savannah, bearing full powers to a respectable merchant of that city, to receive the said slaves for the said owners, pursuant to the decree, paying the charges and giving the bonds aforesaid, and immediately to transport them to the Island of Cuba, the agent being authorized to engage a vessel for that purpose.

Your petitioner, then in Savannah, being apprized of the repugnance of these people to depart from a country, to the language and habits of which they were accustomed; where easy labor was imposed, and kind treatment received; and struck with the cruelty of separating them from their wives and children, to send them into slavery in

a Spanish country, resolved, if possible, though with some risk and trouble to himself, to afford them the chance of becoming free, or at least of suffering servitude only in that mitigated form, already familiar to them, in a state of society to which they had become reconciled, and in the bosom of their families.

For this purpose, he became the purchaser of the Spanish interest, satisfied the Marshal's bill, and all other legal charges, as will appear by the proper vouchers, and entered into the necessary bonds to transport them out of the United States within the time limited.

He has since, in order that they might be sent as freemen to Liberia, made an offer of the said Africans to the Colonization Society, for the money actually paid by him to the Spanish owners, and the charges aforesaid, as taxed by the Circuit Court, without interest, or any addition whatever, for the trouble and expenses of your petitioner, incurred in their behalf.

This offer the Society have not accepted.

In order to avoid seeing these unhappy people exported immediately, your petitioner, as before stated, has been obliged to give security that they shall be sent out of the United States within a specified time. The condition of his bond he must and will perform, however painful to himself, if Congress decline to interfere. It is impossible to evade performance, and, if it were possible, he is incapable of attempting it. If the bond can be cancelled, he proposes, by purchase or exchange, without a view to profit, to unite the families, and afterwards to settle them within the territories of the United States, that they will be secure of as much kindness and indulgence as the condition of slavery allows.

If they must continue slaves, as it is decreed by the definitive sentence of the Supreme Court, your petitioner humbly inquires, can it be important to the United States, that their captivity should be embittered as much as possible, by a removal to a strange land, a separation from their wives and children, harder labor, and more cruel treatment?

Since the owners of the wives and children will not sell them into Spanish bondage, even were your petitioner able to purchase, and capable of purchasing them for such an object, (which he is not,) the separation of the husband from the wife, and the parent from the child, becomes inevitable, unless this bond shall be cancelled.

For the sake of these poor creatures, and in the name of humanity, your petitioner humbly prays it may be cancelled.

And your petitioner will ever pray.

RICHARD HENRY WILDE.

We, the undersigned, believe the facts stated in the foregoing petition, to be substantially true; and unite in praying that the prayer thereof may be granted.

WM. GASTON.

WILLIAM LAW.

Savannah, November 30th, 1827.

vs.

Africans of the Ramirez.

The Registrar's report, and exceptions thereto, being considered by the Court, it was ordered that the fees to Proctors be taxed as follows:

To Jno. McP. Berrien, for his services in the cause,	-	\$ 1,000
C. Harris	do	do 1,000
T. U. P. Charlton	do	do 1,000

And that, after deducting the payments heretofore made, there be now paid to each of them as follows :

To J. M. Berrien	-	-	-	-	\$ 850
C. Harris' executor	-	-	-	-	500
T. U. P. Charlton	-	-	-	-	500

That the Marshal's bill to be paid by the Spanish claimants	6,347
The cost of Court, heretofore paid by the Spanish claimants,	
as taxed, are	847

The additional costs to be paid, are	-	-	-	73 30
--------------------------------------	---	---	---	-------

Upon the payment whereof, and a compliance with the other terms of the decree as modified by this Court, it is ordered that the said thirty-eight Africans, of the cargo of the Antelope, (one having died during the session of this Court,) be delivered by the Marshal to the said William Gaston, Attorney of Cuesta, Manzanal & Brother, or his agent

J. CUYLER.

DISTRICT OF GEORGIA.

I, George Glen, Clerk of the Circuit Court of the United States for the District of Georgia, aforesaid, do hereby certify that the foregoing is a true copy of the original document of file and of record in my office.

In witness whereof, I have hereto set my hand and the seal of the
said Court, this first day of December, A. D. 1827.

GEO. GLEN, *Clerk.*

SAVANNAH, 26th December, 1827.

Received from Richard Henry Wilde six thousand three hundred and forty-seven dollars, in full for my bill for the maintenance, clothing, safe-keeping, &c. of the thirty-nine Africans, of the Antelope or General Ramirez, decreed to Cuesta, Manzanal, & Brothers, (two of which Africans have since died,) as actually taxed by the sixth Circuit Court of the United States for the District of Georgia; which sum is paid by the said R. H. Wilde, as the purchaser of the said interest of Cuesta, Manzanal, & Brothers, subject to the terms of the said decree.

JN. H. MONEL,

Marshal District of Georgia.

Acknowledged before me.

R. R. CUYLER, *Not. Pub.*

SAVANNAH, 26th December, 1827.

Received from R. H. Wilde five hundred dollars, being the proctors fees (balance) decreed or taxed to the late Charles Harris, in the case of the Africans of the Antelope, or General Ramirez, by the sixth Circuit Court; District of Georgia.

JN. H. MONEL,

Qualified Executor to the last Will of Charles Harris.

Acknowledged before me, this 26th December, 1827.

R. R. CUYLER, *Not. Pub.*

In the Sixth Circuit Court of the United States, for the District of Georgia. November Term. 1827.

In obedience to the order of Court, the Clerk reports :

That the proportion of the Marshal's charges on thirty-nine Africans, decreed to the Spanish claimants, is	\$ 6,347 97
That the salvage paid Captain John Jackson on thirty-nine Africans, at \$ 50 each, is	1,950 00
That John M. Berrien's bill for proctor's fees, is	1,250 00
That the costs of Court yet unpaid, (\$ 47 having been paid,) amount to	73 00
That bills have been rendered by Thomas U. P. Charlton, Esq., and by the executors of Charles Harris, Esq., for \$ 500 each, as balances due to them for their services as proctors; but that, in these bills, no items are stated, or credits given :	
That it appears from the receipt of the late C. Harris, Esq., and by the affidavit of Francis Sorrel, Esq., that the said C. Harris, Esq., and the said T. U. P.	

Charlton, Esq. have received \$300 each, from the Spanish claimants, making	600 00
And, that they also received the nett proceeds of the vessel, viz.	\$750 00
From this sum, deduct \$150 00, stated to be paid to J. M. Berrien, Esq., proctor for Spanish claimants,	150 00
	<hr/> 600 00
	<hr/> \$10,820 97

That the receipt of C. Harris, Esq., dated 12th April, 1824, appears to be in full for all past services to that time. The Registrar conceives the fair presumption to be, that the sum of \$300 paid to T. U. P. Charlton, Esq. at the same time, was also in full of past services : That the appeal from the Circuit Court to the Supreme Court of the United States, was entered on the 2d January, 1822, and that neither Mr. Harris nor Mr. Charlton attended to the argument before the Supreme Court on the appeal ; and their subsequent services were, therefore, limited to such proceedings as were had in this Court since the appeal :

That the amount of expenses, of every description, paid and payable by the Spanish claimants on this property, is as follows, viz :

For salvage,	\$1,950 00
Marshal's bill,	6,347 97
J. M. Berrien's bill as proctor,	1,250 00
Messrs. Harris and Charlton's bill,	1,200 00
Costs of Court paid,	847 62
Bill of cost unpaid,	73 30
	<hr/> \$11,668 89

The probable value of thirty-nine Africans, subject to the condition of exportation, does not exceed - - - 11,700 00

Under all these circumstances, the Registrar is induced to report, that the balance to be paid to T. U. P. Charlton, Esq., and to the estate of Mr. Harris, should be \$250 each : say 500.

GEORGE GLEN, Registrar.

November 29th, 1827.

DISTRICT OF GEORGIA, }
Sixth Circuit Court United States. }

I, George Glen, Clerk of the said Court, do hereby certify, that the foregoing is a true copy from the minutes of the said Court.

In witness whereof, I have hereto set my hand and the seal of said Court, this first day of December, A. D. 1827.

GEORGE GLEN, Clerk.

John Jackson, in behalf, &c.	} In Admiralty. 6th Circuit Court
vs.	
The Slaves of the Antelope or Ramirez.	
	U. S. District Georgia.

Received from W. Gaston, Esq., Attorney in fact for Cuesta, Manzanal, and Brothers, one thousand nine hundred and fifty dollars, in full, for salvage awarded by the decree of the Court to the libellants in the above cause.

J. MACPHERSON BERRIEN,

Proctor for Libellants,

SAVANNAH, Nov. 17, 1827.

J. C. Mulvey, in behalf, &c.	} In the 6th Circuit Court U. S.
vs.	
Africans of the Antelope or Ramirez.	
	District Geo. In Admiralty.

Received, Savannah, 1st December, 1827, from William Gaston, Attorney of Cuesta, Manzanal, and Brothers, by the hands of Richard H. Wilde, five hundred dollars in full for the balance of Proctor's fees in the above case, as taxed by the case and in full of all demands.

TH. U. P. CHARLTON,

Proctor for Spanish Claimants.

Witness: J. H. MONEL.

Received, Savannah, December, 1827, from R. H. Wilde, Esq. seventy-three dollars and thirty cents in full for the costs taxed by the Circuit Court of the United States for the District of Georgia against the Spanish claimants of the Africans of the Ramirez, the sum of eight hundred and forty-seven dollars having been previously taxed and paid to the officers of Court.

GEO. GLEN,

Clk. Cir. Ct. U. S. Georgia.

\$73 30.

The following resolution was unanimously adopted by the Board of Managers of the American Colonization Society, Washington, 12th December, 1827 :

Resolved, That this Board entertain great respect for the humane proceedings of the Hon. R. H. Wilde, in regard to the thirty-nine captured Africans, for some years past in the custody of the United States, and recently adjudged, by the Supreme Court, to the Spanish claimants; and the Board laments that it is not compatible with the principles of the Society, or within its ability, to refund to Mr. Wilde the amount which he has expended in the purchase of the rights of the Spanish claimants in these Africans, for the purpose of transporting them to the colony in Africa. The Board, however, hope, that Congress may be prevailed on, either humanely to refund to Mr. Wilde the amount he has expended, and authorize the Society to send the Africans to the colony of Liberia, or to absolve Mr. Wilde from the obligation of tearing these unfortunate people from their families, and sending them into slavery beyond the limits of the United States.

R. R. GURLEY.